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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sacramento)

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTIAN DAVID ENTO,

Defendant and Appellant.

C061421

(Super. Ct. Nos.
08F08270, 06F08771)

This is an appeal pursuant to *People v. Wende* (1979) 25 Cal.3d 436.

In October 2008, Scott Williams was waiting at a bus stop on the Cosumnes River College campus when defendant Christian David Ento walked past him and said "were you the guy who was talking mess"? Defendant punched Williams twice, and Williams countered with two punches of his own. Williams then took his backpack off, set it on the street, and left to find the campus police. Williams then saw defendant take the backpack and walk away.

Campus police were given a description of the assailant and located defendant in a bus at the bus stop. Defendant was bleeding from his lower lip and temple and had a backpack. He was searched and three prescription pill bottles were found in his back pocket. The bottles belonged to Kelvin Garner, who lost them on a light rail train and did not give defendant permission to have them. One of the bottles contained six tablets of hydromorphone, a controlled substance.

Following a jury trial, defendant was convicted of possession of hydromorphone, battery on school property, and petty theft. The court sustained a strike allegation and found defendant violated his probation in a prior case (case No. 06F08771). The court sentenced defendant to 32 months in state prison, imposed various fines and fees, and awarded 164 days' credit (110 actual and 54 conduct). In case No. 06F08771, defendant received 192 days' actual credit.

Defendant timely filed this appeal

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d at p. 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find

no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

ROBIE, J.

We concur:

SCOTLAND, P. J.

NICHOLSON, J.